THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.23047 of 2006

Date : 6-11-2006

Between:

Shantha Bai w/o. Umed Singh .. Petitioner

And

The Municipal Corporation of Hyderabad,
represented by its Commissioner
M.C.H. office, Tank Bund Road,
Hyderabad and another .. Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.23047 of 2006

ORDER:

Heard the Counsel.

The matter is coming up for admission.

The Writ Petition is filed for a writ of mandamus declaring the impugned notice/letter No.44/ACP/CI/TPS/MCH/06, dated 31-10-2006 issued by the 2nd respondent as illegal, unconstitutional and inasmuch as the same is in violation of the principles of natural justice and consequently to direct the respondents not to carry out the demolition work in respect of the petitioner's house bearing M.C.No.23/4/697, admeasuring 84 sq. yards situate at Sultan Shahi, Hyderabad and to pass such other suitable orders.

It is stated in the affidavit filed in support of the writ petition *inter alia* that without issuing any show cause notice straight away notice under Section 636 of the Hyderabad Municipal Corporations Act 1955 had been given.

In view of the facts and circumstances, the petitioner to treat the impugned notice as show cause notice and file objections if any to the said notice within a period of two weeks from today and the respondents to consider such objections if any in accordance with law and further proceed if need be in accordance with the provisions of the Hyderabad Municipal Corporations Act 1955.

The Writ Petition is accordingly disposed of. No costs.

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Justice P.S.Narayana

Date : 6-11-2006

AM